

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

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Richard F. Polese

In Re:

RICHARD F. POLESE,

Chapter 13 Debtor.

Case No.: 17-11222 (SLM)

Judge: Stacey L. Meisel

Chapter: 13

### CHAPTER 13 DEBTOR'S CERTIFICATION IN OPPOSITION

The debtor in this case opposes the following (**choose one**):

1. ☒ Motion for Relief from the Automatic Stay filed by VW Credit Leasing, Ltd., creditor,

A hearing has been scheduled for July 26, 2017, at 10:30a.m..

- ☐ Motion to Dismiss filed by the Chapter 13 Trustee.

A hearing has been scheduled for \_\_\_\_\_, at \_\_\_\_\_.

- ☐ Certification of Default filed by \_\_\_\_\_,

I am requesting a hearing be scheduled on this matter.

2. I oppose the above matter for the following reasons (**choose one**):

- ☐ Payments have been made in the amount of \$ \_\_\_\_\_, but have not been accounted for. Documentation in support is attached.

☒ Payments have not been made for the following reasons and debtor proposes repayment as follows (**explain your answer**):

The Debtor was not aware that monthly automatic payments were no longer being withdrawn from his account. After the Debtor has now clarified with counsel, the Debtor will resume monthly payments as scheduled. The Debtor proposes repayment of arrears through his Chapter 13 Plan.

☐ Other (**explain your answer**):

3. This certification is being made in an effort to resolve the issues raised in the certification of default or motion.
4. I certify under penalty of perjury that the above is true.

Date: July 7, 2017

/s/Richard F. Polese  
Debtor's Signature

Date: \_\_\_\_\_

\_\_\_\_\_  
Debtor's Signature

**NOTES:**

1. Under D.N.J. LBR 4001-1(b)(1), this form must be filed with the court and served on the Chapter 13 Trustee and creditor, if applicable not later than 7 days before the date of the hearing if filed in opposition to a Motion for Relief from the Automatic Stay or Chapter 13 Trustee's Motion to Dismiss.
2. Under D.N.J. 4001-1 (b)(2), this form must be filed with the court and served on the Chapter 13 Trustee and creditor, if applicable not later than 14 days after the filing of a Certification of Default.